

REMARKS

Claims 1-20 are pending in this application. Claims 1 and 16 are the only independent claims. Claims 1, 2, 4, 5, 7-10, 12, 16, 18, and 19 are amended herein, to distinctly claim the subject matter of the present invention. Claims 3, 8, and 17 are canceled by this response. Applicant submits that no new matter has been added by this response.

DOUBLE PATENTING

Claims 1-4, 6-9, 11, 14-15 and 17 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-2, 9-11 and 13-15 of co-pending Application No. 10/826,231 (hereinafter as co-pending application).

Claim 17 is canceled by this response. It is respectfully submitted that the rejection is moot with regard to claim 17, and it is respectfully requested that the rejection be withdrawn.

Independent claim 1 has been amended to more distinctly claim the subject matter therein, and to include "wherein control of the switch unit is based on a value of a voltage applied to the anode electrode and a predetermined reference voltage value." Applicant submits that claim 1 is patentably distinct from the identified claims of the co-pending application, because the identified claims fail to disclose "wherein control of the switch unit is based on a value of a voltage applied to the anode electrode and a predetermined reference voltage value." Accordingly, Applicant respectfully submits that claim 1 is patentable over the identified claims of the co-pending application, and respectfully requests that the double patenting rejection is withdrawn.

If the Examiner determines the above-identified amendments do not cure the Double Patenting rejection, then Applicant will file a terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome the provisional rejection.

CLAIM OBJECTIONS

Claim 1 was objected to because of informalities in the recitation involving the connection of the anode electrode and the spacer ground electrode. Claim is amended to recite "selectively connecting the anode electrode to a spacer ground electrode of the FED." Applicant believes the amendment corrects the objection to claim 1.

Claims 12 and 19 were objected to because of the repeated word "at." In response, Applicant has deleted the repeated word to cure the stated objections.

Accordingly, Applicant believes that all objections are cured and respectfully request the objections be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 112

On page 7 of the Office Action, claims 12-20 were rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses the rejections and request the rejected claims are reconsidered in view of the accompanying arguments.

With regard to claim 12, the Examiner asserts there is no antecedent basis for the limitation "the second resistor." In response, claim 12 is amended to depend from

claim 7 to cure the antecedent basis deficiency. Accordingly, Applicant believes the claims 13-15 are cured by the amendment to claim 12, from which they depend.

Claim 16 was rejected because the Examiner asserted that it is unclear whether discharging occurs whether the switch is on or off. Herein, claim 16 has been amended to remove the limitation to the switch. Therefore, the rejection with regard to claim 16 is moot and Applicant respectfully requests that rejection be withdrawn. Accordingly, Applicant believes the rejections of claims 18-20 also are moot in view of their dependence from claim 16.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,031,336, to Rumbaugh et al. (hereinafter as Rumbaugh) in view U.S. Patent No. 6,441,559 issued to Yamamoto et al. (hereinafter as Yamamoto). Applicant traverses the rejections and requests the rejected claims are reconsidered in view of the accompanying arguments.

Claim 1 has been amended to more distinctly claim the limitations therein. Claim 1 is directed to a spacer discharging apparatus of an FED (Field Emission Display), the FED includes “wherein control of the switch unit is based on a value of a voltage applied to the anode electrode and a predetermined reference voltage value.” Applicant respectfully submits that neither Rumbaugh nor Yamamoto, alone or in combination, teaches the identified features of claim 1.

Rumbaugh is directed to a cathode plate having a plurality of electron emitters, an anode plate disposed to receive electrons emitted by the plurality of electron emitters

and having an anode, the anode designed to be connected to a potential source, and an anode voltage pull-down circuit having an input and an output, wherein the output is connected to the anode, and wherein the input is designed to be connected to the potential source, and further having a variable current source having an input connected to the anode. Rumbaugh also discloses a resistor connected to potential source and a switch. (See abstract)

On page 8 of the Office Action, the Examiner asserts that Rumbaugh does not disclose "selectively connecting the anode electrode and a spacer electrode of the FED" and attempts to remedy the deficiencies by relying on Yamamoto to teach the selectively connecting the anode electrode to a spacer electrode feature.

Yamamoto discloses a field emission display including a cathode assembly, an anode plate, and a spacer, which extends between the cathode assembly and the anode plate. The Examiner asserts that the "selectively connecting" features are disclosed at col. 4, lines 45-47, reciting "a spacer conductor 130 is provided between spacer 108 and anode plate 104 and spacer 108 and cathode assembly 102."

In review of the asserted portion of Yamamoto, Applicant has not identified the "selectively connecting" limitation, it is respectfully requested that the Examiner provides support for this rejection. Applicant submits that Yamamoto does not teach or suggest the above-identified claim features "selectively connecting the anode electrode to a spacer ground electrode of the FED, wherein control of the switch unit is based on a value of a voltage applied to the anode electrode and a predetermined reference voltage value," as recited in claim 1.

For the reasons asserted above, Applicant submits that even if one skilled in the art were to combine the teaching of these references in the manner asserted, the apparatus disclosed by the various references would not teach or suggest all of the recited limitations of claim 1, therefore claim 1 is believed to be allowable. Accordingly, dependent claims 2-4 and 7-9 are believed to be allowable at least virtue of their dependence from claim 1.

Applicant respectfully requests the rejections under 35 U.S.C. 103(a) be withdrawn.

ALLOWABLE SUBJECT MATTER

Applicant is appreciative that the Examiner has indicted that claims 5-6 and 10-11 would be allowable if rewritten in independent form. However, Applicant believes that the above-identified amendments have put independent claim 1 in a condition of allowance, therefore dependent claims 5-6 and 10-11 are additionally allowable by virtue of their dependence from claim 1.

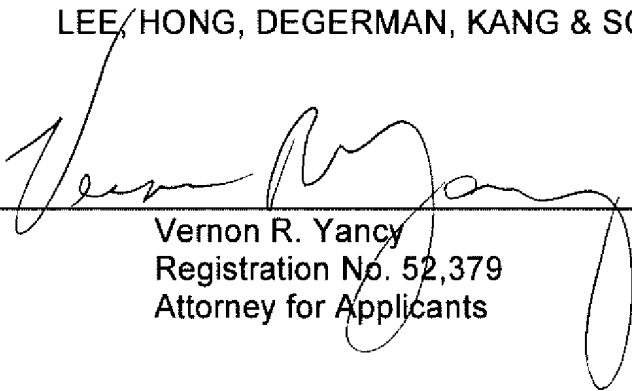
CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Dated: October 09, 2007 By



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